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09/074,544	05/08/1998	GORDON R. MEYER	P2248-472	2392
21839	7590	09/25/2008	EXAMINER	
BUCHANAN, INGERSOLL & ROONEY PC			HUYNH, BA	
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ALEXANDRIA, VA 22313-1404			ART UNIT	PAPER NUMBER
			2179	
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			09/25/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/074,544	MEYER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ba Huynh	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 10 July 2008.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 62-77 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 62-77 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 62-69 rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 5,963,208 (Dolan et al), in view of US patent #6,055,544 (DeRose et al.).**

- As for claim 62: Dolan et al (hereinafter Dolan) teach a computer implemented method and corresponding system for displaying a plurality of information topics that are available via an online (Bicycles books, figures 2, 8A,B,C) for a computer, comprising the steps/means for:
  - creating a plurality of folders that are respectively associated with the plurality of topics (figures 2, 8A,B,C),  
storing one or more HTML source files of information for given topics in the respective folders associated with those topics (3:33-38, 10:65-11:6. Each retrieved portion of document is parsed to generate the corresponding portion of the tree, thus it is implied the storing one or more HTML source files of information for given topics in the respective folders associated with those topics),  
detecting the selection of one of the folders, the folder being associated with a topic of interest (7:29-32),

searching each of the files at a first hierarchical level in the selected folder to identify files of a predetermined type (10:1-36),  
examining each of the identified file to locate HTML metatags (links) that pertain to the display of help information (3:33-38, 10:65-11:6, 17:40-18:43),  
generating an HTML file containing data associated with each of the located metatags, and displaying an HTML page in accordance with the generated file to thereby provide a table of contents for the topic of interest associated with the selected folder (3:33-38, 10:65-11:6, 17:40-18:43).

While teaching the information on-line such as the bicycle books, Dolan fails to expressly teach that the information on-line (e.g., bicycle books) is help information. However in the same field of retrieving help information from a large document, DeRose teach the similar method of generating a table of content of a large on-line help document for a bicycle (Operation Manual). It would have been obvious to one of skill in the art, at the time the invention was made, to combine DeRose's teaching of help document to Dolan for generating a hierarchy of folders representing on-line help topics. Motivation of the combine is for easy access to desired help topics of a help document as set forth in both references. Note: Per Dolan, the document is in HTML format and links embedded therein are parsed to generate the hierarchy of topic folders (17:66-18:4), this teaching implies that metatags associated with the links are parsed. Even if it is not parsing metatags of a document for generating a hierarchy of topics is disclosed by DeRose (DeRose's 14:40-53, 17:60-19:58).

- As for claim 63, 64: Filename, header, tags, element locator, URN are creator designation (Dolan's figure 8C, DeRose's 12:1-18. See also the incorporated by reference patent 5,557,722, 3:28-40, fig 15).
- As for claims 65: The pre-designation is a file extension ("abook#EID(13)", 12:5-7).
- As for claims 66: The predetermined type is a text file (DeRose's figure 6, item 102).
- As for claims 67: DeRose teaches the implementation of template file (i.e., style sheet) for formatting the Table of Content (15:41-16-9. See also the incorporated by reference patent 5,557,722, 3:40-49). Per DeRose, each document is provided with one or more style sheet (see the '722 patent, 3:40-42, fig 15), thus the retrieving the template (style sheet) from the document, duplicating the content of the template file, and replacing token in the file correspond to the located metatag with data from the metatags that were located in each identified file are inherently included in DeRose.
- As for claims 68: The template is stored in the selected folder (see the '722 patent, 3:40-42, fig 15).
- As for claims 69: Data from each identified file are written in separate row in the generated file (see the '722 patent, fig 15).

**Claims 65 is alternatively rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 5,963,208 (Dolan et al), in view of US patent #6,055,544 (DeRose et al.), further in view of US patent #5,848,410 (Walls et al).**

- As for claim 65: The combined Dolan&DeRose teach filename (Dolan's figure 8C, DeRose's 12:5-7) but is not clear regarding the designation is a file extension. However

in the same field of the invention, Walls teaches identifying a file format based on the file extension (Walls' 12:10-20). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Walls' teaching of identifying a file format by file extension to Dolan&DeRose. Motivation of the combine is for preventing of searching irrelevant files as expressly suggested by Walls.

**Claims 70-77 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #6,055,544 (DeRose et al), in view of US patent #5,848,410 (Walls et al).**

- As for claim 70: DeRose et al (hereinafter DeRose) teach a computer implemented method and corresponding system for displaying information topics that are available via an online help system (8:15-18) for a computer, comprising the steps/means for: storing one or more HTML Operation Manual source document. The Operation manual document comprises a plurality of “elements of the document”. Each element is a self-contained object which includes a unique identifier. Each element can be individually retrieved on the basis of the identifier. See 5:50-52, 9:39-58. DeRose fail to clearly teach that each of the “elements of the document” is a file. However, in the same art of information retrieval, Walls teaches the implementation of source folder which comprises source files. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Walls' teaching of source files to DeRose's since each file has the property of being self-contained and uniquely identified, similar to DeRose's “element of the document”, selecting the folder associated with a topic of interest (the manual),

examining each of the identified file to locate HTML metatags that pertain to the display of help information (14:40-53, 17:60 – 19:58), generating an HTML file containing data associated with each of the located metatags, and displaying an HTML page in accordance with the generated file to thereby provide a table of contents for the topic of interest (17:60-18:34; FIGS 16-18).

DeRose is not clear regarding searching each of the files at a first hierarchical level in the selected folder to identify files of a predetermined type. However in the same field of document display, Walls et al. (hereinafter Walls) teach a method of generating a Table of Content including the step of searching each of the files at a first hierarchical level in the selected folder to identify files of a predetermined type (Walls' 12:13-22). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Walls' teaching of searching each of the files at a first hierarchical level in the selected folder to identify files of a predetermined type to DeRose. Motivation of the combining is for preventing the user from searching irrelevant files, as suggested by Walls in 12:19-20.

- As for claim 71: Per Walls, files are filtered by predetermined designation, such as by filename extensions .HTML, .HTY, and .TXT (12:13-18).
- As for claim 72: Filename, element locator are creator designation (12:1-18. See also the incorporated by reference patent 5,557,722, 3:28-40, fig 15).
- As for claim 73: The pre-designation is a file extension (12:13-18).
- As for claim 74: The predetermined type is a text file (DeRose's figure 6, item 102; Walls' 12:13-18).

- As for claim 75: DeRose teaches the implementation of template file (i.e., style sheet) for formatting the Table of Content (15:41-16-9. See also the incorporated by reference patent 5,557,722, 3:40-49). Per DeRose, each document is provided with one or more style sheet (see the '722 patent, 3:40-42, fig 15), thus the retrieving the template (style sheet) from the document, duplicating the content of the template file, and replacing token in the file correspond to the located metatag with data from the metatags that were located in each identified file are inherently included in DeRose.
- As for claim 76: The template is stored in the selected folder (see the '722 patent, 3:40-42, fig 15).
- As for claim 77: Data from each identified file are written in separate row in the generated file (see the '722 patent, fig 15).

### ***Response to Arguments***

Applicant's arguments filed 3/14/08 have been fully considered but they are not persuasive.

#### **Remarks:**

As for claim 62, the limitation "searching each of the files at a first hierarchical level in the selected folder to identify files of a pre-determined type" is disclosed by Dolan (10:1-36).

As for claim 70, in response to the argument that Walls does not teach "searching each of the files at a first hierarchical level in the selected folder to identify files of a pre-determined type", the limitation is disclosed by Walls in 12:13-22 as set forth in the Office action. Per Walls, file system definer 222 analyzes file system 165 to determine particular type of formats in which

files are written. Such analysis may be accomplished by accessing a first file in the file system (11:62-12:18). Thus the selected first file is at a first hierarchical level. As for the argument that the combined DeRose&Walls does not teach storing a hierarchy of folders corresponds to different topics within a help system, and HTML files at the first level of hierarchy within such folders contain metatags associated with a table of content, the limitations are disclosed by the combined reference as set forth in the rejection: “storing one or more HTML Operation Manual source document. The Operation manual document comprises a plurality of “elements of the document”. Each element is a self-contained object which includes a unique identifier. Each element can be individually retrieved on the basis of the identifier. See 5:50-52, 9:39-58. DeRose fail to clearly teach that each of the “elements of the document” is a file. However, in the same art of information retrieval, Walls teaches the implementation of source folder which comprises source files. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Walls’ teaching of source files to DeRose’s since each file has the property of being self-contained and uniquely identified, similar to DeRose’s “element of the document”. DeRose discloses in figures 3, 5, 9, 17 and 18 a hierarchy of topics in a tree structure similar to a directory of a file system. Any one of these figures may be considered similar to a help folder. Walls discloses a directory tree representing a file system (Walls’ 11:45-47). Each of the level of the hierarchy contains metatags associated with a table of contents (DeRose’s figure 4).

As for claims 63, 64, 71, 72: Filename, header, tags, element locator, URN, file extension are creator designation (Dolan’s figure 8C, DeRose’s 12:1-18. Walls’ 12:1-18. See also the incorporated by reference patent 5,557,722, 3:28-40, fig 15).

As for claims 67 and 75: DeRose teaches the implementation of template file (i.e., style sheet) for formatting the Table of Content (15:41-16:9. See also the incorporated by reference patent 5,557,722, 3:40-49). Per DeRose, each document is provided with one or more style sheet (see the '722 patent, 3:40-42, fig 15), thus the retrieving the template (style sheet) from the document, duplicating the content of the template file, and replacing token in the file correspond to the located metatags with data from the metatags that were located in each identified file are implicitly included in DeRose's teaching of updating the table of content (18:60-19:35, 20:18-30).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Although it is not deemed necessary to apply multiple rejections, the following references, cited in the attach PTO-892 form, are considered strongly relevant to the claimed invention. In order to expedite the prosecution of this case, the applicant is invited to comment about the references.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ba Huynh

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Primary Examiner, Art Unit 2179